

AMENDED IN ASSEMBLY MAY 14, 2003

AMENDED IN ASSEMBLY MAY 5, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 736

Introduced by Assembly Member Hancock

February 19, 2003

An act to add Section 17077.36 to the Education Code, relating to school facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 736, as amended, Hancock. School facilities.

Existing law, the Leroy F. Greene School Facilities Act of 1998 (the Greene Act of 1998), requires the State Allocation Board to administer the allocation of funds for public school facilities.

This bill would state the intent of the Legislature with regard to requiring new schools to be designed according to the criteria developed by the Collaborative for High Performance Schools and the Leadership in Energy and Environmental Design (LEED) Green Building Rating System.

Existing law requires the State Allocation Board to adjust a project grant amount not to exceed 5%, for the state's share of costs associated with design and other plan components related to school facility energy efficiency.

This bill would, in addition, require the State Allocation Board to establish regulations ~~that provide to implement~~ prescribed additional adjustments in state grants to school districts that meet the criteria developed by the Collaborative for High Performance Schools and to

those school districts that build schools that qualify for certification under the LEED Green Building Rating System.

The bill would declare the intent of the Legislature to enact legislation to appropriate to the Division of the State Architect \$1,000,000 from subsequently approved general obligation bond proceeds for the purposes of this act.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature hereby finds and declares
2 the following:

3 (1) The Collaborative for High Performance Schools has
4 developed a set of criteria for new school design that, if adopted,
5 lead to school buildings that enhance pupil performance and
6 teacher satisfaction, reduce operating costs, and minimize
7 environmental impacts.

8 (2) The United States Green Building Council has developed
9 a set of independently certified criteria for building construction,
10 including school construction, called the Leadership in Energy and
11 Environmental Design (LEED) Green Building Rating System
12 that, if adopted, lead to school buildings that enhance pupil
13 performance and teacher satisfaction, reduce operating costs, and
14 minimize environmental impacts.

15 (b) It is therefore the intent of the Legislature to require new
16 schools to be designed according to criteria developed by the
17 Collaborative for High Performance Schools or the LEED Green
18 Building Rating System.

19 SEC. 2. Section 17077.36 is added to the Education Code, to
20 read:

21 17077.36. (a) The board shall adopt, through the Division of
22 the State Architect and the Office of Public School Construction,
23 regulations ~~that provide incentives in~~ *to implement the incentives*
24 *specified in this section* for the allocation of proceeds of general
25 obligation bonds for school districts that design schools that meet
26 the criteria established by the Collaborative for High Performance
27 Schools (CHPS) and for school districts that build schools that
28 qualify for certification under the Leadership in Energy and
29 Environmental Design (LEED) Green Building Rating System.



(b) In adopting regulations establishing incentives pursuant to this section, the board shall consider recommendations of ~~the Collaborative for High Performance Schools and the United States Green Building Council and the 2001 Best Practices Manual of the Collaborative for High Performance Schools.~~ *the United States Green Building Council and the 2001 Best Practices Manual of the Collaborative for High Performance Schools.*

(c) An applicant school district that includes plan design and other project components pursuant to this section that seek school facility high performance and resource efficiency approaching the ultimate goals of school facility efficiency, reduced operating costs, and health and educational conduciveness may seek a grant adjustment in addition to that set forth in subdivision (d) of Section 17077.35 for the state share of the increased costs associated with those components.

(d) Components that are eligible for inclusion into a project pursuant to this section include, but are not limited to, all of the following:

(1) Energy efficiency, conservation, or renewable generation measures.

(2) Water efficiency, conservation, and reuse measures.

(3) Material efficiency, conservation, and reuse measures.

(4) Indoor environmental quality measures.

(5) Environmental and community sensitive facility siting measures.

(6) Approval of a comprehensive maintenance and operations plan that incorporates high performance ideals.

(e) In order to be eligible for the grant adjustment pursuant to this section, the building proposed for the project shall meet or exceed the ~~High Performance School standards~~ *standards specified in the regulations* to be adopted jointly by the Division of the State Architect and the Office of Public School Construction pursuant to subdivision (a).

(f) Any grant awarded to an applicant for a new construction or modernization project shall be increased by the following amounts:

(1) By 2 percent, if the project to be funded by the grant is designed ~~in compliance with~~ *to meet the criteria specified in the 2001 Best Practices Manual of the Collaborative for High Performance Schools.*

1 (2) By an additional 1 percent, if the project is also proposed to
2 be built in compliance with the LEED Green Building Rating
3 System.

4 (g) The Division of the State Architect shall verify that a
5 facility for which a grant adjustment has been provided pursuant
6 to paragraph (1) of subdivision (f), meets the ~~criteria for~~
7 ~~certification as a High Performance School.~~ *minimum criteria*
8 *specified in the 2001 Best Practices Manual of the Collaborative*
9 *for High Performance Schools.*

10 (h) The Division of the State Architect shall verify that a
11 facility for which a grant adjustment has been provided pursuant
12 to paragraph (2) of subdivision (f), has been certified and approved
13 by the United States Green Building Council under the LEED
14 Green Building Rating System.

15 (i) If the Division of the State Architect determines that a
16 facility for which a grant adjustment has been awarded pursuant
17 to this section is not in compliance with this section, it shall notify
18 the Department of Finance. The Department of Finance shall
19 reduce any allocation of proceeds of bonds to the school district in
20 the following year by 1 percent.

21 (j) This section does not prevent a school district from
22 receiving grants from public utilities for conservation measures.

23 (k) An applicant school district shall consult with its local
24 public utility district regarding energy efficiency programs.

25 SEC. 3. It is the intent of the Legislature to enact legislation
26 to appropriate one million dollars (\$1,000,000) to the Division of
27 the State Architect from the proceeds of general obligation bonds
28 of the state approved by the voters at the 2004 direct primary
29 election or the 2004 statewide general election for the purposes of
30 this act.

